

Attr. Docket No. DE919990077

(590.161)

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Please note the fact that January 20, 2007, fell on a Saturday ensures that this paper is timely filed as of today, Monday, January 22, 2007 (the next succeeding day which is not a Saturday or Sunday).

In the Office Action dated July 20, 2006, pending Claims 1, 3-8, 10-14, 16, and 18-23 were rejected and the rejection made final. In response Applicants have filed herewith a Request for Continued Examination and have amended independent claims 1, 10 and 12 and cancelled claims 7, 18, 19, 21 and 22. dependent Claims 6 and 7. It should be noted these amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution. The Examiner is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the foregoing amendments and the following remarks.

Applicant intends no change in the scope of the claims by the changes made by the current Amendment. It should be noted these amendments are not in acquiescence of the Examiner's position on allowability of the claims, but merely to expedite prosecution.

Rejection of claims under 35 U.S.C. § 103(a):

In the prior Office Action, claims 1, 3-5, 8, 18 and 19 stood rejected as being unpatentable over U.S. Patent 6,029,150 to Kravitz (hereinafter "Kravitz") in view of U.S. Patent 6,023,689 to Herlin et al. (hereinafter "Herlin") under 35 U.S.C. § 103(a). Claims 6, 7, 10-13, 21 and 22 stood rejected as being unpatentable over Kravitz in view of Herlin and in further view of U.S. Patent 6,574,314 to Martino (hereinafter "Martino") under 35

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U.S.C. § 103(a). Claim 16 stood rejected as being unpatentable over Kravitz in view of Herlin and in further view of U.S. Published Application 2002/0111164 of Ritter (hereinafter "Ritter") under 35 U.S.C. § 103(a). Claims 14, 20 and 23 stood rejected as being unpatentable over Kravitz in view of Herlin and Martino and in further view of U.S. Published Application 2002/0100798 of Farrugia et al. (hereinafter "Farrugia") under 35 U.S.C. § 103(a).

Claim 1 has been amended to incorporate the subject matter of claims 7, 18, and 19, which have been cancelled. Claim 12 has been amended to incorporate the subject matter of claims 21 and 22, which have been cancelled. Claim 10 has been amended to incorporate like subject matter.

To the degree that Applicants have previously addressed the above-mentioned rejections in their responses dated May 2, 2006 and September 20, 2006 those comments are fully incorporated by reference as if set forth herein.

Applicants further respectfully submit that in order to establish a *prima facie* case of obviousness three criteria must be met. First, must be some suggestion or motivation to modify a reference or combine reference teachings, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. Second, the modification or combination must have some reasonable expectation of success. Third, the prior reference or combined references must teach or suggest all the claim limitations. MPEP § 2143. The teachings of a prior art reference must be considered as a whole

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including those portions that would lead away from the claimed invention. MPEP § 2141.02(VI).

Claim 1 has been amended by the current amendment to incorporate the subject matter of claims 7, 18 and 19 and now recites, in pertinent part, the method limitations of “execution of said money transfer order by said payment provider by debiting an account of said customer; sending a receipt of payment, **which includes an encrypted digital signature of the payment provider, to said customer and confirming the encrypted digital signature of said receipt by a confirmation center.** Applicants respectfully submit that the cited references do not teach the above-mentioned subject matter.

Claims 18 and 19 previously stood rejected over Kravitz and Herlin. The Final Rejection stated in pertinent part: “*Kravitz* further discloses use of a digital signature at Col. 8, lines 41-56 and confirmation of the digital signature at Col. 8, lines 35-50.” Applicants respectfully submit that the teachings of *Kravitz* are not sufficient to meet the claimed subject matter in question.

Kravitz provides in relevant part that a payment advice message sent from an agent to a customer “bears a verifiable digital signature of the agent over part of its content. The customer then forwards a portion of the payment advice message to the specific merchant **The merchant can verify the validity of the digital signature contained in the received payment advice message portion.**” As can be seen then, *Kravitz* teaches that the merchant, **not a confirmation center**, performs the confirmation of the digital signature contained in the payment advice message. This teaching stands in

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stark contrast to Applicants' invention as currently claimed where the digital signature of the payment provider is confirmed by a confirmation center separate from the service provider. Continued rejection of claim 1 on similar grounds would therefore be improper.

Independent claims 10 and 12 have been amended in like manner as claim 1. Continued rejection of claims 10 and 12 on similar grounds would also therefore be improper.

Applicants respectfully submit that the teachings of Herlin and Martino are insufficient to overcome the above-mentioned deficiencies with respect to Kravitz as neither of these references teaches confirmation of an encrypted digital signature of a payment provider contained in a receipt of payment by a confirmation center. Applicants respectfully submit that rejection of the current independent claims based on any combination of these references with Kravitz would also be improper.

For the foregoing reasons, Applicants respectfully submit that claims 1, 10 and 12 are allowable over Kravitz, Herlin and Martino. Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 10 and 12 as being unpatentable over Kravitz in view of Herlin and Martino under 35 U.S.C. § 103(a).

With regards to claims 3-6, 8, 11, and 13 these claims are dependent upon independent claims 1, 10 and 12. Applicants respectfully submit that claims 1, 10 and 12 are allowable over Kravitz, Herlin and Martino as established above. Claims 3-6, 8, 11, and 13 are also allowable, then, for at least the same reasons as claims 1, 10 and 12.

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Applicants respectfully request that the Examiner withdraw the rejection of claims 3-6, 8, 11, and 13 as being unpatentable over Kravitz in view of Herlin and Martino under 35 U.S.C. § 103(a).

With regards to claim 16, this claim is dependent upon independent claim 1.

Applicants respectfully submit that claim 1 is allowable over Kravitz, Herlin and Martino as established above. Claim 1 is also allowable, then, for at least the same reasons as claim 1. Applicants respectfully request that the Examiner withdraw the rejection of claim 16 as being unpatentable over Kravitz in view Herlin and Ritter under 35 U.S.C. § 103(a).

Applicants respectfully submit that the teachings of Ritter are insufficient to overcome the above-mentioned deficiencies with respect to Kravitz as Ritter does not teach confirmation of an encrypted digital signature of a payment provider contained in a receipt of payment by a confirmation center. Applicants respectfully submit that rejection of the current independent claims based on any combination of Ritter with the above-mentioned references would also be improper.

With regards to claims 14, 20 and 23 these claims are dependent upon independent claims 1 and 12. Applicants respectfully submit that claims 1 and 12 are allowable over Kravitz, Herlin and Martino as established above. Claims 14, 20 and 23 are also allowable, then, for at least the same reasons as claims 1 and 12. Applicants respectfully request that the Examiner withdraw the rejection of claims 14, 20 and 23 as

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being unpatentable over Kravitz in view of Herlin, Martino and Farrugia under 35 U.S.C. § 103(a).

Applicants respectfully submit that the teachings of Farrugia are insufficient to overcome the above-mentioned deficiencies with respect to Kravitz as Farrugia does not teach confirmation of an encrypted digital signature of a payment provider contained in a receipt of payment by a confirmation center. Applicants respectfully submit that rejection of the current independent claims based on any combination of Farrugia with the above-mentioned references would also be improper.

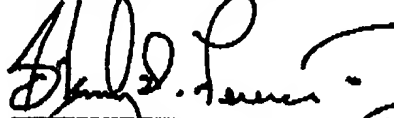
In view of the foregoing, it is respectfully submitted that independent claims 1, 10 and 12 fully distinguish over the applied art and are thus are in condition for allowance. By virtue of dependence from what are believed to be allowable independent claims, it is respectfully submitted that claims 3-6, 8, 11, 13, 14, 16, 20 and 23 are also presently allowable.

Applicants acknowledge Examiner's reference of U.S. Patent 6,556,680 as a supplementary reference in the Advisory Action dated December 20, 2006 and have reviewed its contents. Applicants note that the Leonardi reference was not deemed of sufficient worth to be utilized by the Examiner to reject any of the pending claims. Applicants therefore believe that further comment on the teachings Leonardi would be unnecessary.

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In summary, it is respectfully submitted that the instant application, including claims 1, 3-6, 8, 10-14, 16, 20 and 23, is presently in condition for allowance. Notice to the effect is earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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